

2003 Assembly Bill 426

Date of enactment: **April 19, 2004**  
Date of publication\*: **April 30, 2004**

## 2003 WISCONSIN ACT 285

AN ACT *to repeal* 444.17; *to amend* 440.05 (intro.), 440.08 (2) (a) (intro.), 440.23 (1), 444.02, 444.03, 444.04, 444.06, 444.09 (title), 444.09 (1), 444.09 (2), 444.09 (3), 444.09 (4), 444.09 (5), 444.09 (6), 444.09 (7), 444.10, 444.11, 444.12, 444.13, 444.14, 444.15 and 444.18; *to repeal and recreate* 444.05; and *to create* 444.01 of the statutes; **relating to**: the regulation of professional boxing contests.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 440.05 (intro.) of the statutes is amended to read:

**440.05 Standard fees.** (intro.) The following standard fees apply to all initial credentials, except as provided in ss. 440.42, 440.43, 440.44, 440.51, 444.03, 444.05, 444.11, 447.04 (2) (c) 2., 449.17, 449.18, and 459.46:

**SECTION 2.** 440.08 (2) (a) (intro.) of the statutes is amended to read:

440.08 (2) (a) (intro.) Except as provided in par. (b) and in ss. 440.51, 442.04, 444.03, 444.05, 444.11, 448.065, 447.04 (2) (c) 2., 449.17, 449.18, and 459.46, the renewal dates and renewal fees for credentials are as follows:

**SECTION 3.** 440.23 (1) of the statutes is amended to read:

440.23 (1) If the holder of a credential pays a fee required under s. 440.05 (1) or (6), 440.08, 444.03, 444.05, 444.11, or 459.46 (2) (b) by check or debit or credit card and the check is not paid by the financial institution upon which the check is drawn or if the demand for payment under the debit or credit card transaction is not

paid by the financial institution upon which demand is made, the department may cancel the credential on or after the 60th day after the department receives the notice from the financial institution, subject to sub. (2).

**SECTION 4.** 444.01 of the statutes is created to read:  
**444.01 Definitions.** In this chapter:

(1) "Amateur boxing contest" means a boxing contest or exhibition in which none of the boxers are compensated for participating in the contest or exhibition.

(2) "Professional boxing contest" means a boxing contest or exhibition in which one or more of the boxers is compensated for participating in the contest or exhibition.

**SECTION 5.** 444.02 of the statutes is amended to read:

**444.02 Boxing licenses, permits.** The department shall have the sole direction, management and control of, and jurisdiction over, all ~~boxing and sparring exhibitions~~ professional boxing contests conducted within the state by any club. No ~~boxing or sparring exhibitions~~ professional boxing contests may be conducted within the state except under authority granted by the department and in accordance with this chapter and the rules of the department. The department may issue, and for cause limit, suspend, or revoke, a license to conduct ~~boxing and sparring exhibitions~~ professional boxing contests to any incorporated club formed as provided in this chapter. The

\* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

department may limit the number of ~~sparring or boxing exhibitions~~ professional boxing contests given by any club in any city, village, or town. No ~~boxing or sparring exhibition~~ professional boxing contest may be conducted by any licensed club without a permit from the department. Every license shall be subject to such rules and regulations as the department prescribes. The department may reprimand clubs for violating this chapter or any rules of the department.

**SECTION 6.** 444.03 of the statutes is amended to read:

**444.03 Application for license; fee.** No ~~boxing or sparring exhibition~~ professional boxing contest may be conducted by any club except by license granted to it by the department, and no club may be licensed unless it is incorporated under the laws of Wisconsin and its membership is limited to persons who have been continuous residents in the state for at least one year. An application for a license shall be in writing, addressed to the department, and verified by an officer of the club. An application shall be accompanied by an annual fee of \$25 in cities, villages, and towns of not more than 50,000 inhabitants, \$50 in cities of over 50,000 and not more than 150,000 inhabitants, and \$300 in cities of over 150,000 inhabitants when the admission is over \$1 and \$50 when the admission charge is \$1 or less. The application must show that the club has entered into a valid agreement for the use of the building, amphitheater, or stadium in which contests are to be held.

**SECTION 7.** 444.04 of the statutes is amended to read:

**444.04 Club reports.** Within 24 hours after a club holds an ~~exhibition~~ a professional boxing contest, the club shall furnish to the department a written report, verified by one of its officers, showing the number of tickets sold for the ~~exhibition~~ contest, the amount of gross proceeds, and all other information the department requires by rule to be included in the report.

**SECTION 8.** 444.05 of the statutes is repealed and recreated to read:

**444.05 Amateur boxing contests.** A person may conduct an amateur boxing contest in this state only if the contest is sanctioned by and conducted under the rules of the national governing body for amateur boxing that is recognized by the U.S. Olympic Committee under 36 USC 220521.

**SECTION 9.** 444.06 of the statutes is amended to read:

**444.06 Inspectors.** The department shall appoint official "inspectors", each of whom shall receive a card authorizing the inspector to act wherever the department designates. The department may be, and at least one inspector shall be present at all ~~exhibitions~~ professional boxing contests and see that the rules are strictly observed. An inspector shall also be present at the counting up of the gross receipts and shall immediately mail to the department the official box-office statement received from the club. Inspectors shall be paid a per diem to be set by the department, not to exceed \$25 for each day on

which they are actually and necessarily engaged in the performance of their duties, and shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

**SECTION 10.** 444.09 (title) of the statutes is amended to read:

**444.09 (title) Conduct of ~~exhibitions~~ contests regulated.**

**SECTION 11.** 444.09 (1) of the statutes is amended to read:

444.09 (1) No ~~boxing or sparring exhibition~~ professional boxing contest shall be for more than 10 rounds except that where a championship is to be determined, the ~~exhibition~~ contest shall not be for more than 15 rounds, and no round shall last more than 3 minutes.

**SECTION 12.** 444.09 (2) of the statutes is amended to read:

444.09 (2) There shall be one minute intermission between rounds of professional boxing contests.

**SECTION 13.** 444.09 (3) of the statutes is amended to read:

444.09 (3) Gloves weighing not less than 5 ounces shall be worn by contestants who are in professional boxing contests and who weigh under 140 pounds, and not less than 6 ounces by other contestants.

**SECTION 14.** 444.09 (4) of the statutes is amended to read:

444.09 (4) No person under the age of 18 years shall participate in any professional boxing ~~or sparring exhibition~~. ~~Amateur contestants between 14 and 18 years of age may participate in amateur boxing or sparring exhibitions with the consent of their parents or guardians~~ contest.

**SECTION 15.** 444.09 (5) of the statutes is amended to read:

444.09 (5) No betting at any ~~boxing or sparring exhibitions~~ professional boxing contest shall be permitted before, after, or during any such contest, in the building where the contest is held.

**SECTION 16.** 444.09 (6) of the statutes is amended to read:

444.09 (6) Contestants in professional boxing contests shall break clean, and must not hold and hit. Butting with head or shoulders, wrestling, or illegal use of elbows shall not be allowed. There shall be no unsportsmanlike conduct on the part of the contestants. This includes the use of abusive or insulting language.

**SECTION 17.** 444.09 (7) of the statutes is amended to read:

444.09 (7) The department may allow or provide for decisions upon ~~exhibitions~~ professional boxing contests held under this chapter to be made by the referee or by the referee and 2 judges appointed by the department under regulations prescribed by the department.

**SECTION 18.** 444.10 of the statutes is amended to read:

**444.10 Physician to examine contestants.** Prior to entering the ring, each contestant in a professional boxing contest must be examined by a physician who has been licensed to practice in Wisconsin not less than 5 years and who is appointed by the department and certifies in writing, over his or her signature, as to the contestant's physical and mental fitness to engage in such contest.

**SECTION 19.** 444.11 of the statutes is amended to read:

**444.11 Licenses to matchmakers, referees, boxers, etc.** The department may grant licenses upon application and the payment of the prescribed fees to matchmakers, managers, referees, examining physicians, boxers ~~and~~ seconds, and trainers in professional boxing contests. The fees to be paid per year shall be: Matchmakers in cities with a population of over 150,000, \$25; matchmakers in other cities and in villages and towns, \$10; managers, \$10; referees, \$15; examining physicians, \$10; boxers, \$5; seconds and trainers, \$5. The department may limit, suspend, or revoke any such license or reprimand the holder thereof upon such cause as it deems sufficient.

**SECTION 20.** 444.12 of the statutes is amended to read:

**444.12 Referee to stop contest.** The referee must stop ~~the a~~ a professional boxing contest when either of the contestants shows a marked superiority or is apparently outclassed.

**SECTION 21.** 444.13 of the statutes is amended to read:

**444.13 Sham matches contests, license revoked.** Any club ~~which that~~ conducts, holds ~~or~~, gives, or participates in any sham or fake ~~boxing or sparring match~~ professional boxing contest shall ~~thereby~~ forfeit its license ~~which. That~~ license shall ~~thereupon~~ be revoked by the department; ~~and it~~ the club shall not ~~thereafter~~ be entitled to another license; ~~nor shall any license be issued to any club, which that~~ has a member who belonged to a club ~~which that~~ had its license revoked.

**SECTION 22.** 444.14 of the statutes is amended to read:

**444.14 Sham matches contests; contestants penalized; forfeitures; hearing.** Any contestant who participates in any sham or fake ~~boxing or sparring exhibition~~ professional boxing contest or violates any rule or regulation of the department shall be penalized as follows: For the first offense the contestant shall be restrained by order of the department for not less than 2 months nor more than one year, the period to begin immediately after the occurrence of the offense, from participation in the exhibition contest to be held or given by any licensed club; for a 2nd offense, the contestant shall be permanently disqualified from further admission or participation in any such exhibition contest held or given by any

licensed club and in addition, for each such offense, shall forfeit such amount, out of the share or purse agreed to be paid the contestant for the ~~exhibition contest~~ as the department determines, the forfeit to be paid into the general fund of the state. The department, upon determining the amount of the forfeit, may pay the same out of any guarantee deposited with it for delivery to the contestant or may order it paid to the department by the club employing the contestant out of the purse or share agreed by it to be paid to the contestant. The department shall not determine the forfeit until after due hearing held upon reasonable notice duly served upon the contestant or the contestant's manager and upon the club by whom the contestant is employed. Any member of the department or the secretary or any inspector of the department may order the club to hold the share or purse of the contestant in its possession pending the hearing and determination of the department. For failure to obey any order of the department or the secretary of the department or any inspector of the department given under this section, the license of the club may be limited, suspended, canceled, or revoked, and the club may be reprimanded.

**SECTION 23.** 444.15 of the statutes is amended to read:

**444.15 Reports; examination of books and officers.** Whenever any club fails to make a report of any professional boxing contest at the time prescribed or whenever a report is unsatisfactory to the department, the secretary of the department may examine the books and records of the club and may subpoena and examine, under oath, the club's officers and other witnesses to determine the total amount of its gross receipts for any exhibition contest. The secretary may require the club to pay the expenses of conducting the examination. If a club fails to pay the amount of expenses determined by the secretary to be due within 20 days after receiving notice of the amount, the club shall forfeit its license, be disqualified from receiving any license under this chapter, and forfeit to the state the sum of \$1,000, which may be recovered by the department of justice in the name of the state.

**SECTION 24.** 444.17 of the statutes is repealed.

**SECTION 25.** 444.18 of the statutes is amended to read:

**444.18 Insurance on boxers.** Any licensee authorized to conduct ~~boxing matches or exhibitions~~ professional boxing contests shall insure each contestant participating ~~therein~~ for hospital, nursing, and medication expenses and physician's and surgeon's services according to an equitable fee schedule, not to exceed in the aggregate \$500, to be paid to, or for the use of, any contestant to compensate for injuries sustained in any such contest; and shall insure each contestant for not less than \$2,500 to be paid to the contestant's estate in the event of

the contestant's death as the result of participation in such  
~~boxing match or exhibition~~ professional boxing contest.

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